IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7346 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R. TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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V N PARMAR

Versus

BANK OF BARODA

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Appearance:

MR Mehta for Mr.GIRISH PATEL for Petitioners

MR DARSHAN M PARIKH for Respondent No. 1

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CORAM : MR.JUSTICE RAVI R. TRIPATHI

Date of decision: 22/12/2000

ORAL JUDGEMENT

The present petition is filed by three petitioners, the employees of Bank of Baroda, alleging that the respondent Bank did not adhere to the "request transfer policy" for the benefit of eligible Scheduled

Caste and Scheduled Tribe employees as per the percentage envisaged in the policy. It was prayed that the request transfer policy be immediately effected as per the seniority and as per quota. With the passage of time, this relief cannot be considered.

2. However, Mr.Mehta, learned advocate for the petitioners submitted that the relief which is at clause (C) of para 20 can be considered, which reads as under:

> "(C) directing the respondents to enforce the request transfer policy for the petitioners and other Scheduled Caste/ Scheduled Tribe employees similarly situated;"

Said relief can also not be considered in absence of any material which ought to have been placed for subsequent years after having filed this petition in the year 1993. As on date, the Court is not having any material to come to the conclusion that the said policy is not adhered to during the years subsequent to filing of this petition. However, the Court expects of Bank of Baroda to adhere to its own policy, if the same is not adhered to. If the same is not adhered to by the respondent-- Bank, it will be open to the petitioners to make grievance by filing appropriate proceedings.

3. This petition stands disposed of. Rule is discharged. No order as to costs.

22nd December 2000 (Ravi R. Tripathi, J.)

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